PTO/SB/21 (04-04) (AW 06/2004) Approved for use through 7/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL **FORM** 

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4 pages + 13 refs. and 2 Office Actions

	•	<u>,                                      </u>	
	Application Number	10/616,274	
	Filing Date	July 9, 2003	
	First Named Inventor	George Goicoechea	
	Art Unit	3761	
	Examiner Name	To Be Assigned	
-	Attorney Docket No.	BSI-210US5	

			Attorney Docket No.	BSI-2100S		
		ENCLO	SURES (Check all that	apply)		
Amer Amer Exten Expre	Fee Transmittal Form Fee Attached  Amendment/Reply After Final Affidavits/Declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement Certified Copy of Priority Document(s)  Response to Missing Parts/Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53		Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocatic Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)	on,		After Allowance Communication to Technology Center (TC)  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please identify below): PTO-Form 1449 (2 pages), 13 References; 2 Office Actions; Return Receipt Postcard
	SIGNATURI	OF AF	PLICANT, ATTORNEY C	D ACENT	-	
Firm or Individual Name Signature	Joshua L. Cohen		Registration No. (Attor		T	38,040
I hereby certify	that this correspondence is being facsimile	transmitte	OF TRANSMISSION / MA	h 4h a 11-i4- d 6	State	es Postal Service with sufficient
Typed or printed name Signature	class mail in an envelope addressed to: C  Patricia C. Boccella	7-1-	er for Patents, P.O. Box 1450, Al	lexandria, VA	223	August 13, 2004
		-/	- Clare			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BSI-210US5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:

10/616,274

Applicant:

George Goicoechea et al.

Filed:

July 9, 2003

Title:

BIFURCATED ENDOLUMINAL PROSTHESIS

TC/A.U.:

3761

Examiner:

To Be Assigned

## **INFORMATION DISCLOSURE STATEMENT**

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed foreign references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Enclosed and listed on the Form PTO-1449 are communications from the Canadian and Japanese Patent Offices which cite the listed references. References JP 5305092, JP 7501476, JP 623031, JP 3151983, and JP 3133446 are not in the English language, but a corresponding English language application for each is attached and separately identified in the attached Form PTO-1449. Based on the Communication of the Japanese Patent Office, EP 0 539 237 A1 is believed to correspond to JP 5305092; PCT International Publication No. WO93/19703 is believed to correspond to JP 7501476; EP 0 508 473 A2 is believed to correspond to JP 623031; EP 0 421 729 A2 is believed to correspond to JP 3151983; and

BSI-210US5 PATENT

EP 0 423 916 A1 is believed to correspond to JP 3133446. Reference JP 376554 and reference JP 425755 are not in the English language, but an English language abstract of each is attached to the copy of those references submitted herewith.

This Information Disclosure Statement is being mailed before the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

Joshue L. Cohen, Reg. No. 38,040 Stanley Weinberg, Reg. No. 25,276

Attorney for Applicants

SW/pb

Enclosures: PTO Form 1449

(13) References(2) Office ActionsTransmittal Form

Dated: August 13, 2004

P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450 on: August 13, 2004

Patricia C. Boccella

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PTO/SB/08a (08-03) (AW 10/2003)

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tute for Form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

	Complete if Known	
Application Number	10/616,274	
Filing Date	July 9, 2003	
First Named Inventor	George Goicoechea	
Art Unit	3761	
Examiner Name		
Attorney Docket No.	DCI 240UCE	

		SHEET	1 of 2	Attorne	ey Docket No.	BSI-210US5		
	т	7	U.S. PAT	ENT D	OCUMENTS			
Examiner Cite Initials* No.1 Number - Kind Code <sup>2 (if known)</sup>		Document Number  Number - Kind Code <sup>2 (if known)</sup>				of Patentee or of Cited Document	Pages, Columns, Lines, When Relevant Passages or Releva Figures Appear	
		US-5,104,404	04/14/199	92	Wolff			
		US-4,562,596	01/07/198	36	Kornberg			
		, , , , , , , , , , , , , , , , , , ,	OREIGN P	ATEN	DOCUMEN	ITS	· · · · · · · · · · · · · · · · · · ·	
Examiner Initials*	Cite No.1	Foreign Patent Docum  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind			olication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т6
	1.	JP 5305092		11-	19-1993	Cook Inc.		10
	2.	EP 0 539 237 A1		04-	28-1993	Cook Inc.		一
	3.	WO93/19703		10-	14-1993	Schneider (USA) Inc.		ā
	4.	JP 7501476		02-	16-1995	Schneider (USA) Inc.		
	5.	JP 6023031		02-	01-1994	Endovascular Technologies, Inc.		
	6.	EP 0 508 473 A2			14-1992	Endovascular Technologies, Inc.		
	7.	JP 3151983		06-	28-1991	Medtronic Inc.		
	8.	EP 0 421 729 A2		04-	10-1991	Medtronic, Inc.		
	9.	JP 03076554		04-	02-1991	Sanyo Shokuhin KK		
	10.	JP 3133446		06-	06-1991	Cook Inc.		
	11.	EP 0 423 916 A1		04-	24-1991	Cook Inc.		
	12.	JP 4025755		01-	29-1992	Japan Electron Control Syst Co Ltd.		_
	13.	PCT WO 89/08433		09-	21-1989	Lazarus		
Examiner				<u> </u>		Date		
Signature						Considered		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

SApplicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant's unique citation designation number (optional).

See Kind Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

PTO/SB/08b (08-03) (AW 10/2003)
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 2 of 2

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	Complete if Known	
Application Number	10/616,274	
Filing Date	July 9, 2003	
First Named Inventor	George Goicoechea	
Art Unit	3731	
Examiner Name		
Attorney Docket No.	BSI-210US5	

		NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	A.	Office Action of Canadian Intellectual Property Office for Application No. 2,182,982 dated June 14, 2004.	
	B.	Notice of Reasons of Rejection of Japan Patent Office Application No. H07-521275 dated May 18, 2004.	
	`		
Examiner Signature		Date Considered	L

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

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